

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

No. 19-1803 T

(Judge Charles F. Lettow)

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PFIZER INC. and SUBSIDIARIES,

Plaintiff

v.

UNITED STATES,

Defendant

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**JOINT STATUS REPORT**

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The parties file this status report, which reports on the parties' attempts to achieve a settlement of this case, implement the settlement they entered into, and for payment to be made by defendant to plaintiff:

The parties' counsel participated in a mediation with the Honorable Eric. G. Bruggink on June 29, 2021. At the conclusion of the mediation, the parties' counsel reached an informal understanding regarding the substantive terms of a proposed settlement that defendant's counsel has recommended be accepted by an authorized delegate of the Attorney General.

The parties thereafter worked together in an effort to reach agreement on interest computations that implement the proposed settlement. On November 1, 2021, plaintiff's counsel submitted a formal settlement offer that memorializes the informal understanding that the parties' counsel reached at the mediation. On January 14, 2022, an authorized delegate of the Attorney General accepted plaintiff's formal settlement offer.

The Tax Division then authorized the Internal Revenue Service to process an allowance of overpayment interest under the terms of the parties' settlement. An attempt to issue payment by electronic funds transfer went awry, and the United States had to wait for the attempted electronic payment to be credited back to the government before it could attempt a second payment. That recrediting has now occurred

The parties' counsel conferred and agreed to attempt payment by paper check. On April 4, 2022, the IRS authorized the Bureau of Fiscal Service to issue that check for delivery to the Tax Division in Washington, DC. Upon receipt of the check, the Tax Division's post-litigation-procedures unit will arrange for the check to be delivered to plaintiff's counsel by Federal Express.

Once the United States has made payment to plaintiff in the amount agreed to by the parties, the parties will thereafter dismiss this case with prejudice.

If this case is not first dismissed, the parties respectfully ask the Court to require them to file a joint status report on or before Friday, May 6, 2022, during which they will file a further report on their attempts to implement their settlement of this case.

Dated: April 8, 2022

Respectfully submitted,

s/Robert S. Walton, by consent  
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